



1-16-04

Attorney Docket No. 5051-637

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Ranney et al
Serial No.: 10/615,861
Filing Date: July 9, 2003
For: Hybrid *Calycanthus* Plant Named 'Venus'

January 15, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Attached is a form PTO-1449, together with a copy of each of the identified document(s). It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

In the interest of full disclosure, Applicants further note that slides and information regarding the variety were shown to industry representatives during the time period from August 2002 until the present application was filed. No plant material was made available.

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(b), within three months of the filing date of the above-referenced application or before the mailing of a first Office Action on the merits, whichever event occurs last. Therefore, no fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

Karen A. Magri
Registration No. 41,965

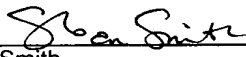
In re: Ranney et al
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Page 2 of 2

Customer No. 20792

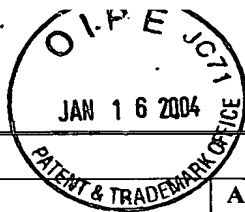
Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV381448041US Date of Deposit: January 15, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Sloan Smith



PTO FORM 4/92		
FORM PTO - 1449 LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY DOCKET 9341.20 APPLICANT: Layt FILING DATE: March 28, 2003	SERIAL NO. 10/402,494 GROUP Unknown

UNITED STATES LETTERS PATENTS											
Exr. Init.		DOCUMENT NUMBER						DATE	NAME	CLASS	SUB CLASS

FOREIGN PATENT DOCUMENTS											
		DOCUMENT NUMBER						DATE	COUNTRY	CLASS	SUB CLASS

OTHER ART (INCLUDING AUTHOR, TITLE DATE, PERTINENT PAGES, ETC.)											
	1.	"Calycanthus chinensis" <i>Kemper Center for Home Gardening</i> http://ridgwaydb.mobot.org/kemperweb/plantfinder/plant.asp?code=m380 Date of access October 10, 2003.									
	2.	"Calycanthus floridus <i>Athens</i> " http://www.nobleplants.com/introductions/calycanthus.htm Date of access October 10, 2003.									
	3.	"Sweet shrub Calycanthaceae <i>Calycanthus occidentalis</i> " http://www.cnr.vt.edu/dendro/dendrology/syllabus2/coccidentalis.htm Date of access October 10, 2003.									
	4.	Ranney et al., "Breeding and Developing New Nursery Crops Progress Report, 2002" North Carolina State University, August 28, 2002.									
	5.	Ranney, Thomas G., "Inventing New Plants" Oral Presentation, Southern Nursery Association Trade Show, Atlanta, Georgia, August 2, 2002.									

EXAMINER _____ DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and no considered. Include copy of this form with next communication to applicant.